

<i>SERFF Tracking Number:</i>	<i>FFDC-125715317</i>	<i>State:</i>	<i>Arkansas</i>
<i>First Filing Company:</i>	<i>American Automobile Insurance Company, ...</i>	<i>State Tracking Number:</i>	<i>EFT \$50</i>
<i>Company Tracking Number:</i>	<i>NARPG0608</i>		
<i>TOI:</i>	<i>05.1 Commercial Multi-Peril - Non-Liability</i>	<i>Sub-TOI:</i>	<i>05.1000 CMP Sub-TOI Combinations</i>
	<i>Portion Only</i>		
<i>Product Name:</i>	<i>Ordinance or Law Coverage Extension for Non-conforming Buildings</i>		
<i>Project Name/Number:</i>	<i>Ordinance or Law Coverage Extension for Non-conforming Buildings/NWPG0608</i>		

Filing at a Glance

Companies: American Automobile Insurance Company, Associated Indemnity Corporation, Fireman's Fund Insurance Company, National Surety Corporation, The American Insurance Company

Product Name: Ordinance or Law Coverage SERFF Tr Num: FFDC-125715317 State: Arkansas

Extension for Non-conforming Buildings

TOI: 05.1 Commercial Multi-Peril - Non-Liability SERFF Status: Closed

State Tr Num: EFT \$50

Portion Only

Sub-TOI: 05.1000 CMP Sub-TOI Combinations Co Tr Num: NARPG0608

State Status: Fees verified and received

Filing Type: Form

Co Status: Pending

Reviewer(s): Betty Montesi,
Llyweyia Rawlins

Author: Michelle Davanzo

Disposition Date: 07/01/2008

Date Submitted: 07/01/2008

Disposition Status: Approved

Effective Date Requested (New): 10/15/2008

Effective Date (New): 10/15/2008

Effective Date Requested (Renewal): 10/15/2008

Effective Date (Renewal):
10/15/2008

State Filing Description:

General Information

Project Name: Ordinance or Law Coverage Extension for Non-conforming Buildings

Status of Filing in Domicile:

Project Number: NWPG0608

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 07/01/2008

State Status Changed: 07/01/2008

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

Enclosed for your review and approval are two new optional coverage extension endorsements that modify our Ordinance or Law Coverage Form and Business Income Coverage Form (and Extra Expense) that provides additional

SERFF Tracking Number: FFDC-125715317 *State:* Arkansas
First Filing Company: American Automobile Insurance Company, ... *State Tracking Number:* EFT \$50
Company Tracking Number: NARPG0608
TOI: 05.1 Commercial Multi-Peril - Non-Liability *Sub-TOI:* 05.1000 CMP Sub-TOI Combinations
Portion Only
Product Name: Ordinance or Law Coverage Extension for Non-conforming Buildings
Project Name/Number: Ordinance or Law Coverage Extension for Non-conforming Buildings/NWPG0608

coverage if the damaged building cannot be replaced to pre-loss functionality. Each endorsement matches our two primary property coverage products - Property Gard and Property Gard Select. Please see the enclosed Explanatory Memorandum for more information.

This is a form filing. There is no rate impact associated with use of the endorsements submitted in this filing.

Ordinance or Law Coverage Extension for Non-conforming Buildings - 143636

Provides the coverage language that modifies insurance protection under the following previously approved Property-Gard forms:

- Ordinance or Law Coverage Form (141056)
- Business Income Coverage Form (and Extra Expense) (CP0030)

Ordinance or Law Coverage Extension for Non-conforming Buildings - 190099

Provides the coverage language that modifies insurance protection under the following previously approved Property-Gard Select forms:

- Property-Gard Select Real and Personal Property Coverage Section (190001)
- Business Income Coverage Form (and Extra Expense) (190004)

Each endorsement Modifies the Ordinance or Law Coverage Form and Business Income Coverage Form (and Extra Expense) of the respective property products to provide additional coverage if the damaged building cannot be replaced to pre-loss functionality due to the enforcement of any ordinance or law that does not permit restoring the non-conforming building on the same premises and to the same height, floor area, number of units and occupancy of the original property insured.

Enclosed in support of this filing are the following:

1. Explanatory Memorandum
2. Ordinance or Law Coverage Extension for Non-conforming Buildings - 143636 04/08
3. Property-Gard Select - Ordinance or Law Coverage Extension for Non-conforming Buildings - 190099 04/08

SERFF Tracking Number: FFDC-125715317 State: Arkansas

First Filing Company: American Automobile Insurance Company, ... State Tracking Number: EFT \$50

Company Tracking Number: NARPG0608

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations
Portion Only

Product Name: Ordinance or Law Coverage Extension for Non-conforming Buildings

Project Name/Number: Ordinance or Law Coverage Extension for Non-conforming Buildings/NWPG0608

Your approval/acknowledgement of this filing, which has a proposed effective date of October 15, 2008 would be appreciated.

Company and Contact

Filing Contact Information

Michelle Davanzo, Regulatory Services Senior Analyst mdavanzo@ffic.com

777 San Marin Drive (415) 899-2660 [Phone]
Novato, CA 94998 (866) 290-0671[FAX]

Filing Company Information

American Automobile Insurance Company	CoCode: 21849	State of Domicile: Missouri
777 San Marin Drive	Group Code: 761	Company Type:
Novato, CA 94998	Group Name:	State ID Number:
(415) 899-2817 ext. [Phone]	FEIN Number: 22-1608585	

Associated Indemnity Corporation	CoCode: 21865	State of Domicile: California
777 San Marin Drive	Group Code: 761	Company Type:
Novato, CA 94998	Group Name:	State ID Number:
(415) 899-2817 ext. [Phone]	FEIN Number: 22-1708002	

Fireman's Fund Insurance Company	CoCode: 21873	State of Domicile: California
777 San Marin Drive	Group Code: 761	Company Type:
Novato, CA 94998	Group Name:	State ID Number:
(415) 899-3290 ext. [Phone]	FEIN Number: 94-1610280	

National Surety Corporation	CoCode: 21881	State of Domicile: Illinois
777 San Marin Drive	Group Code: 761	Company Type:
Novato, CA 94998	Group Name:	State ID Number:
(415) 899-2817 ext. [Phone]	FEIN Number: 36-2704643	

The American Insurance Company	CoCode: 21857	State of Domicile: Nebraska
777 San Marin Drive	Group Code: 761	Company Type:
Novato, CA 94998	Group Name:	State ID Number:

(415) 899-2817 ext. [Phone] FEIN Number: 22-0731810

SERFF Tracking Number: FFDC-125715317 State: Arkansas
First Filing Company: American Automobile Insurance Company, ... State Tracking Number: EFT \$50
Company Tracking Number: NARPG0608
TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations
Portion Only
Product Name: Ordinance or Law Coverage Extension for Non-conforming Buildings
Project Name/Number: Ordinance or Law Coverage Extension for Non-conforming Buildings/NWPG0608

Filing Fees

Fee Required? Yes
Fee Amount: \$50.00
Retaliatory? No
Fee Explanation:
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
American Automobile Insurance Company	\$50.00	07/01/2008	21189347
Associated Indemnity Corporation	\$0.00	07/01/2008	
Fireman's Fund Insurance Company	\$0.00	07/01/2008	
National Surety Corporation	\$0.00	07/01/2008	
The American Insurance Company	\$0.00	07/01/2008	

SERFF Tracking Number: *FFDC-125715317* *State:* *Arkansas*
First Filing Company: *American Automobile Insurance Company, ...* *State Tracking Number:* *EFT \$50*
Company Tracking Number: *NARPG0608*
TOI: *05.1 Commercial Multi-Peril - Non-Liability* *Sub-TOI:* *05.1000 CMP Sub-TOI Combinations*
 Portion Only
Product Name: *Ordinance or Law Coverage Extension for Non-conforming Buildings*
Project Name/Number: *Ordinance or Law Coverage Extension for Non-conforming Buildings/NWPG0608*

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Llyweyia Rawlins	07/01/2008	07/01/2008

SERFF Tracking Number: FFDC-125715317 State: Arkansas
First Filing Company: American Automobile Insurance Company, ... State Tracking Number: EFT \$50
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TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations
Portion Only
Product Name: Ordinance or Law Coverage Extension for Non-conforming Buildings
Project Name/Number: Ordinance or Law Coverage Extension for Non-conforming Buildings/NWPG0608

Disposition

Disposition Date: 07/01/2008
Effective Date (New): 10/15/2008
Effective Date (Renewal): 10/15/2008
Status: Approved
Comment:

Rate data does NOT apply to filing.

Overall Rate Information for Multiple Company Filings

Overall Percentage Rate Indicated For This Filing	0.000%
Overall Percentage Rate Impact For This Filing	0.000%
Effect of Rate Filing-Written Premium Change For This Program	\$0
Effect of Rate Filing - Number of Policyholders Affected	0

SERFF Tracking Number: FFDC-125715317 State: Arkansas

First Filing Company: American Automobile Insurance Company, ... State Tracking Number: EFT \$50

Company Tracking Number: NARPG0608

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations
Portion Only

Product Name: Ordinance or Law Coverage Extension for Non-conforming Buildings

Project Name/Number: Ordinance or Law Coverage Extension for Non-conforming Buildings/NWPG0608

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	Cover Letter	Approved	Yes
Supporting Document	Explanatory Memorandum	Approved	Yes
Form	Ordinance or Law Coverage Extension for Non-conforming Buildings	Approved	Yes
Form	Property-Gard Select - Ordinance or Law Coverage Extension for Non-conforming Buildings	Approved	Yes

SERFF Tracking Number: FFDC-125715317 State: Arkansas

First Filing Company: American Automobile Insurance Company, ... State Tracking Number: EFT \$50

Company Tracking Number: NARPG0608

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations
Portion Only

Product Name: Ordinance or Law Coverage Extension for Non-conforming Buildings

Project Name/Number: Ordinance or Law Coverage Extension for Non-conforming Buildings/NWPG0608

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Ordinance or Law Coverage Extension for Non-conforming Buildings	143636	04 08	Endorsement/Amendment/Conditions	New		PG - Ordinance or Law Coverage for Non-conforming Buildings.v4 - Final.pdf
Approved	Property-Gard Select - Ordinance or Law Coverage Extension for Non-conforming Buildings	190099	04 08	Endorsement/Amendment/Conditions	New		PGS - Ordinance or Law Coverage for Non-conforming Buildings.v4 - Final.pdf

Ordinance or Law Coverage Extension for Non-conforming Buildings - 143636 04/08

This endorsement modifies insurance provided under the following:

**Ordinance or Law Coverage Form
Business Income Coverage Form (and Extra Expense)**

1. Coverage for Loss in Value of a Non-conforming Building

Section B of the Ordinance or Law Coverage Form 141056 04 95, Coverage, is amended to include the following:

4. Coverage D – Coverage for Loss in Value of a Non-conforming Building

- a. If a covered cause of loss results in loss of or damage to covered Building property, we will pay under this coverage for the loss in value of a **non-conforming building**, when a portion of which is not repaired or reconstructed as a consequence of enforcement of any ordinance or law that:
 - (1) Does not permit restoring the **non-conforming building** on the same premises and to the same height, floor area, number of units and occupancy of the original property insured; and
 - (2) Regulates the construction or repair of buildings, or establishes zoning or land use requirements at the described premises; and
 - (3) Is in force at the time of the covered cause of loss.

This coverage only applies after the applicable governmental entity makes a final determination not to grant you a variance necessary to restore the **non-conforming building** on the same premises and to the same height, floor area, number of units and occupancy of the original property insured.

This coverage is included within the Limit of Insurance shown in the Declarations as applicable to the covered Building property. Coverage D does not increase the Limit of Insurance.

This Form must be attached to Change Endorsement when issued after the policy is written.
One of the **Fireman's Fund Insurance Companies** as named in the policy.



Secretary



President

- b. When Coverage D of this endorsement applies, loss to the covered building, including loss in value of the **non-conforming building** due to enforcement of an ordinance or law, will be determined as follows:
 - (1) If the Replacement Cost Coverage Option applies and the property is repaired or replaced, on the same or another premises, then the most we will pay is the lesser of:
 - (a) The amount it would cost to restore the building on the same premises and to the same height, floor area, number of units and occupancy of the original property insured; or
 - (b) The Limit of Insurance shown in the Declarations as applicable to the covered Building property.
 - (2) If the Replacement Cost Coverage Option applies and the property is not repaired or replaced, or if the Replacement Cost Coverage Option does not apply, then the most we will pay is the lesser of:
 - (a) The actual cash value of the building at the time of the loss; or
 - (b) The Limit of Insurance shown in the Declarations as applicable to the covered Building property.

For purposes of this endorsement, actual cash value means the amount it would cost to repair or replace Covered Property, at the time of loss or damage, with material of like kind and quality, subject to a deduction for deterioration, depreciation and obsolescence.

2. Increased Cost of Construction Due to Municipal Fund Payments

Coverage C – Increased Cost of Construction Coverage in Section B of the Ordinance or Law Coverage Form 141056 04 95, Coverage, is amended to include the following:

- c. Payment you are required by law to make to a municipal government in order to obtain a waiver of an applicable zoning or land use ordinance or law will be considered an increased cost of construction of a **non-conforming building** under a. or b. above, but only when such ordinance or law otherwise would not otherwise permit you to restore the **non-conforming building** on the same premises and to the same height, floor area, number of units and occupancy of the original property insured.

3. Coverage for Loss of Business Income from a Reduction in Leaseable Square Footage of a Non-conforming Building

Item 3. Additional Coverages in Section A of the Business Income Coverage Form (and Extra Expense) CP 00 30 10 91, Coverage, is amended to include the following:

e. Coverage for Loss of Business Income From a Reduction in Leaseable Square Footage of a Non-conforming Building:

(1) We will pay for the actual loss of Business Income you sustain due to the reduction in leaseable square footage of a **non-conforming building** at the described premises following direct physical loss or damage to the **non-conforming building** which was caused by or resulting from a Covered Cause of Loss during the policy period. The reduction in leaseable square footage must result from the inability to repair or reconstruct a portion of the **non-conforming building** as a consequence of enforcement of any ordinance or law that:

- (a) Does not permit restoring the **non-conforming building** on the same premises and to the same height, floor area, number of units and occupancy of the original property insured; and
- (b) Regulates the construction or repair of buildings, or establishes zoning or land use requirements at the described premises; and
- (c) Is in force at the time of the covered cause of loss.

(2) The most we will pay under this coverage is the lesser of:

- (a) The difference between the rent income from tenant occupancy of the **non-conforming building** at the described premises and the **rental value** that could reasonably have been anticipated if the **non-conforming building** at the described premises had been restored to the same height, floor area, number of units and occupancy of the original property insured, for 12 months immediately following the **period of restoration**; or
- (b) The Limit of Insurance shown in the Schedule that applies to Coverage for Loss of Business Income From a Reduction in Leaseable Square Footage of a **non-conforming building**.

This coverage only applies after the applicable governmental entity makes a final determination not to grant a variance necessary to restore the **non-conforming building** on the same premises and to the same height, floor area, number of units and occupancy of the original property insured. The expiration date of this policy will not cut short the duration of the coverage provided by this extension.

4. Definitions

As used in this endorsement, “**Non-conforming building**” means a building whose height, floor area, number of units and occupancy was permitted by zoning or land use ordinance or law in effect at the time of original construction, but whose height, floor area, number of units and occupancy is not permitted by zoning or land use ordinance or law in force at the time of the covered cause of loss.

Property-Gard Select - Ordinance or Law Coverage Extension for Non-conforming Buildings - 190099 04/08

This endorsement modifies insurance provided under the following:

**Property-Gard Select Real and Personal Property Coverage Section
Business Income Coverage Form (and Extra Expense)**

1. Coverage for Loss in Value of a Non-conforming Building

Section F. Extensions of Coverage, Item 3. Ordinance or Law Coverage - Coverage for Loss to the Undamaged Portion of the Building of the Property-Gard Select Real and Personal Property Coverage Section 190001, is amended to include the following:

d.. Coverage for Loss in Value of a Non-conforming Building

- i. If a covered cause of loss results in loss of or damage to covered Building property, we will pay under this coverage for the loss in value of a **non-conforming building**, when a portion of which is not repaired or reconstructed as a consequence of enforcement of any ordinance or law that:
 - (1) Does not permit restoring the **non-conforming building** on the same premises and to the same height, floor area, number of units and occupancy of the original property insured; and
 - (2) Regulates the construction or repair of buildings, or establishes zoning or land use requirements at the described premises; and
 - (3) Is in force at the time of the covered cause of loss.

This coverage only applies after the applicable governmental entity makes a final determination not to grant you a variance necessary to restore the **non-conforming building** on the same premises and to the same height, floor area, number of units and occupancy of the original property insured.

This coverage is included within the Limit of Insurance shown in the Declarations as applicable to the covered Building property. Coverage d. does not increase the Limit of Insurance.

This Form must be attached to Change Endorsement when issued after the policy is written.
One of the **Fireman's Fund Insurance Companies** as named in the policy.



Secretary



President

- ii. When Coverage d. of this endorsement applies, loss to the covered building, including loss in value of the **non-conforming building** due to enforcement of an ordinance or law, will be determined as follows:
 - (1) If the Replacement Cost Coverage Option applies and the property is repaired or replaced, on the same or another premises, then the most we will pay is the lesser of:
 - (a) The amount it would cost to restore the building on the same premises and to the same height, floor area, number of units and occupancy of the original property insured; or
 - (b) The Limit of Insurance shown in the Declarations as applicable to the covered Building property.
 - (2) If the Replacement Cost Coverage Option applies and the property is not repaired or replaced, or if the Replacement Cost Coverage Option does not apply, then the most we will pay is the lesser of:
 - (a) The actual cash value of the building at the time of the loss; or
 - (b) The Limit of Insurance shown in the Declarations as applicable to the covered Building property.

For purposes of this endorsement, actual cash value means the amount it would cost to repair or replace Covered Property, at the time of loss or damage, with material of like kind and quality, subject to a deduction for deterioration, depreciation and obsolescence.

2. Increased Cost of Construction Due to Municipal Fund Payments

Section F. Extensions of Coverage, Item 4. Ordinance or Law Coverage - Demolition Cost and Increased Cost of Construction Coverages of the Property-Gard Select Real and Personal Property Coverage Section 190001, is amended to include the following:

- c.. Coverage C – Increased Cost of Construction Coverage
 - i. Payment you are required by law to make to a municipal government in order to obtain a waiver of an applicable zoning or land use ordinance or law will be considered an increased cost of construction of a **non-conforming building** under a. or b. above, but only when such ordinance or law otherwise would not otherwise permit you to restore the **non-conforming building** on the same premises and to the same height, floor area, number of units and occupancy of the original property insured.

3. Coverage for Loss of Business Income from a Reduction in Leaseable Square Footage of a Non-conforming Building

Section C. Additional Coverages of the Property-Gard Select - Business Income with Extra Expense Coverage, 190004, is amended to include the following:

4. Coverage for Loss of Business Income From a Reduction in Leaseable Square Footage of a Non-conforming Building:
 - a. We will pay for the actual loss of Business Income you sustain due to the reduction in leaseable square footage of a **non-conforming building** at the described premises following direct physical loss or damage to the **non-conforming building** which was caused by or resulting from a Covered Cause of Loss during the policy period. The reduction in leaseable square footage must result from the inability to repair or reconstruct a portion of the **non-conforming building** as a consequence of enforcement of any ordinance or law that:
 - (i) Does not permit restoring the **non-conforming building** on the same premises and to the same height, floor area, number of units and occupancy of the original property insured; and
 - (ii) Regulates the construction or repair of buildings, or establishes zoning or land use requirements at the described premises; and
 - (iii) Is in force at the time of the covered cause of loss.
 - b. The most we will pay under this coverage is the lesser of:
 - (i) The difference between the rent income from tenant occupancy of the **non-conforming building** at the described premises and the **rental value** that could reasonably have been anticipated if the **non-conforming building** at the described premises had been restored to the same height, floor area, number of units and occupancy of the original property insured, for 12 months immediately following the **period of restoration**; or
 - (ii) The Limit of Insurance shown in the Schedule that applies to Coverage for Loss of Business Income From a Reduction in Leaseable Square Footage of a **non-conforming building**.

This coverage only applies after the applicable governmental entity makes a final determination not to grant a variance necessary to restore the **non-conforming building** on the same premises and to the same height, floor area, number of units and occupancy of the original property insured. The expiration date of this policy will not cut short the duration of the coverage provided by this extension.

4. **Definitions**

As used in this endorsement, “**Non-conforming building**” means a building whose height, floor area, number of units and occupancy was permitted by zoning or land use ordinance or law in effect at the time of original construction, but whose height, floor area, number of units and occupancy is not permitted by zoning or land use ordinance or law in force at the time of the covered cause of loss.

<i>SERFF Tracking Number:</i>	<i>FFDC-125715317</i>	<i>State:</i>	<i>Arkansas</i>
<i>First Filing Company:</i>	<i>American Automobile Insurance Company, ...</i>	<i>State Tracking Number:</i>	<i>EFT \$50</i>
<i>Company Tracking Number:</i>	<i>NARPG0608</i>		
<i>TOI:</i>	<i>05.1 Commercial Multi-Peril - Non-Liability</i>	<i>Sub-TOI:</i>	<i>05.1000 CMP Sub-TOI Combinations</i>
	<i>Portion Only</i>		
<i>Product Name:</i>	<i>Ordinance or Law Coverage Extension for Non-conforming Buildings</i>		
<i>Project Name/Number:</i>	<i>Ordinance or Law Coverage Extension for Non-conforming Buildings/NWPG0608</i>		

Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: FFDC-125715317 State: Arkansas
First Filing Company: American Automobile Insurance Company, ... State Tracking Number: EFT \$50
Company Tracking Number: NARPG0608
TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations
Portion Only
Product Name: Ordinance or Law Coverage Extension for Non-conforming Buildings
Project Name/Number: Ordinance or Law Coverage Extension for Non-conforming Buildings/NWPG0608

Supporting Document Schedules

Satisfied -Name:	Uniform Transmittal Document-Property & Casualty	Review Status:	Approved	07/01/2008
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Comments:

Attachments:

NAIC Transmittal - Form.pdf
Form Filing Schedule.pdf

Satisfied -Name:	Cover Letter	Review Status:	Approved	07/01/2008
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Comments:

Attachment:

Cover Letter NWPG0608.pdf

Satisfied -Name:	Explanatory Memorandum	Review Status:	Approved	07/01/2008
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Comments:

Attachment:

Ord or Law - PG_PGS Filing Mem 6-08.pdf

Property & Casualty Transmittal Document

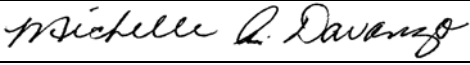
1. Reserved for Insurance Dept. Use Only	2. Insurance Department Use only	
	a. Date the filing is received:	
	b. Analyst:	
	c. Disposition:	
	d. Date of disposition of the filing:	
	e. Effective date of filing:	
	New Business	
	Renewal Business	
	f. State Filing #:	
	g. SERFF Filing #:	
h. Subject Codes		

3. Group Name	Group NAIC #
Fireman's Fund Insurance Companies	0761

4. Company Name(s)	Domicile	NAIC #	FEIN #	State #
Fireman's Fund Insurance Company	CA	21873	94-1610280	
National Surety Corporation	IL	21881	36-2704643	
The American Insurance Company	NE	21857	22-0731810	
Associated Indemnity Corporation	CA	21865	22-1708002	
American Automobile Insurance Company	MO	21849	22-1608585	

5. Company Tracking Number	NARPG0608
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Contact Info of Filer(s) or Corporate Officer(s) [include toll-free number]

6. Name and address	Title	Telephone #s	FAX #	e-mail
Michelle A. Davanzo	Regulatory Analyst	(415) 899-2660	866-290-0671	Michelle.davanzo@ffic.com
7. Signature of authorized filer				
8. Please print name of authorized filer		Michelle A. Davanzo		

Filing information (see General Instructions for descriptions of these fields)

9. Type of Insurance (TOI)	5.1 Commercial Multiple Peril
10. Sub-Type of Insurance (Sub-TOI)	5.1000 CMP Sub-TOI Combinations
11. State Specific Product code(s)(if applicable)[See State Specific Requirements]	
12. Company Program Title (Marketing title)	
13. Filing Type	<input type="checkbox"/> Rate/Loss Cost <input type="checkbox"/> Rules <input type="checkbox"/> Rates/Rules <input checked="" type="checkbox"/> Forms <input type="checkbox"/> Combination Rates/Rules/Forms <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other (give description)
14. Effective Date(s) Requested	New: 10-15-08 Renewal: 10-15-08
15. Reference Filing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
16. Reference Organization (if applicable)	
17. Reference Organization # & Title	
18. Company's Date of Filing	06-30-08
19. Status of filing in domicile	<input type="checkbox"/> Not Filed <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Authorized <input type="checkbox"/> Disapproved

Property & Casualty Transmittal Document—

20.	This filing transmittal is part of Company Tracking #	NARPG0608
21.	Filing Description [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]	

Enclosed for your review and approval are two new optional coverage extension endorsements that modify our Ordinance or Law Coverage Form and Business Income Coverage Form (and Extra Expense) that provides additional coverage if the damaged building cannot be replaced to pre-loss functionality. Each endorsement matches our two primary property coverage products - Property Gard and Property Gard Select. Please see the enclosed Explanatory Memorandum for more information.

This is a form filing. There is no rate impact associated with use of the endorsements submitted in this filing.

Ordinance or Law Coverage Extension for Non-conforming Buildings - 143636

Provides the coverage language that modifies insurance protection under the following previously approved Property-Gard forms:

- Ordinance or Law Coverage Form (141056)
- Business Income Coverage Form (and Extra Expense) (CP0030)

Ordinance or Law Coverage Extension for Non-conforming Buildings - 190099

Provides the coverage language that modifies insurance protection under the following previously approved Property-Gard Select forms:

- Property-Gard Select Real and Personal Property Coverage Section (190001)
- Business Income Coverage Form (and Extra Expense) (190004)

Each endorsement Modifies the Ordinance or Law Coverage Form and Business Income Coverage Form (and Extra Expense) of the respective property products to provide additional coverage if the damaged building cannot be replaced to pre-loss functionality due to the enforcement of any ordinance or law that does not permit restoring the non-conforming building on the same premises and to the same height, floor area, number of units and occupancy of the original property insured.

Enclosed in support of this filing are the following:

1. Explanatory Memorandum
2. Ordinance or Law Coverage Extension for Non-conforming Buildings - 143636 04/08
3. Property-Gard Select - Ordinance or Law Coverage Extension for Non-conforming Buildings - 190099 04/08

Your approval/acknowledgement of this filing, which has a proposed effective date of October 15, 2008 would be appreciated.

2.	Filing Fees (Filer must provide check # and fee amount if applicable) [If a state requires you to show how you calculated your filing fees, place that calculation below]
Check #: Amount: Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.	

***Refer to the each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)

PROPERTY & CASUALTY FORM FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes forms.)

(Do **not** refer to the body of the filing for the forms listing, unless allowed by the state.)

	This filing transmittal is part of Company Tracking #			NARPG0608	
	This filing corresponds to rate/rule filing number (Company tracking number of rate/rule filing, if applicable)				
	Form Name/ Description/Synopsis	Form# Include edition Date	Replacement Or Withdrawn	If replacement, give form # it replaces	Previous state filing number, (if required by state)
1	Ordinance or Law Coverage for Non-conforming Buildings	143636 04 08	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
2	Property-Gard Select - Ordinance or Law Coverage Extension for Non- conforming Buildings	190099 04 08	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
3			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
4			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
5			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
6			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
7			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
8			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
9			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
10			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		



July 1, 2008

Honorable Julie Benafield Bowman
Commissioner of Insurance
Arkansas Insurance Department
1200 West Third Street
Little Rock, Arkansas 72201-1904

RE: COMMERCIAL MULTIPLE PERIL
ORDINANCE OR LAW COVERAGE EXTENSION FOR NON-CONFORMING BUILDINGS
ENDORSEMENTS
PROPERTY-GARD AND PROPERTY-GARD SELECT
Fireman's Fund Insurance Company 0761-21873
The American Insurance Company 0761-21857
National Surety Corporation 0761-21881
Associated Indemnity Corporation 0761-21865
American Automobile Insurance Company 0761-21849
Company Filing #NARPG0608

Dear Sir or Madam:

Enclosed for your review and approval are two new optional coverage extension endorsements that modify our Ordinance or Law Coverage Form and Business Income Coverage Form (and Extra Expense) that provides additional coverage if the damaged building cannot be replaced to pre-loss functionality. Each endorsement matches our two primary property coverage products - Property Gard and Property Gard Select. Please see the enclosed Explanatory Memorandum for more information.

This is a form filing. There is no rate impact associated with use of the endorsements submitted in this filing.

Ordinance or Law Coverage Extension for Non-conforming Buildings - 143636

Provides the coverage language that modifies insurance protection under the following previously approved Property-Gard forms:

- Ordinance or Law Coverage Form (141056)
- Business Income Coverage Form (and Extra Expense) (CP0030)

Ordinance or Law Coverage Extension for Non-conforming Buildings - 190099

Provides the coverage language that modifies insurance protection under the following previously approved Property-Gard Select forms:

- Property-Gard Select Real and Personal Property Coverage Section (190001)
- Business Income Coverage Form (and Extra Expense) (190004)

Fireman's Fund
Insurance Companies
A member of the
Alliance Group

777 San Marin Drive
Novato, CA 94998
415.899.2000

Coverage Explanation

Each endorsement Modifies the Ordinance or Law Coverage Form and Business Income Coverage Form (and Extra Expense) of the respective property products to provide additional coverage if the damaged building cannot be replaced to pre-loss functionality due to the enforcement of any ordinance or law that does not permit restoring the non-conforming building on the same premises and to the same height, floor area, number of units and occupancy of the original property insured.

Enclosed in support of this filing are the following:

1. Explanatory Memorandum
2. Ordinance or Law Coverage Extension for Non-conforming Buildings - 143636 04/08
3. Property-Gard Select - Ordinance or Law Coverage Extension for Non-conforming Buildings - 190099 04/08

Your approval/acknowledgement of this filing, which has a proposed effective date of October 15, 2008 would be appreciated.

Sincerely,



Michelle A. Davanzo
Regulatory Analyst
Commercial Business, Governance
800-227-1700 ext 2660 wk
415-899-2660

Filing Explanatory Memorandum
Ordinance or Law Coverage Extension for Non-conforming Buildings

Note: the ensuing descriptions of coverage are provided for your information in order to facilitate review of our filing. The terms, conditions, and exclusions of the actual policy, form the actual contract between the insured and the insurance company.

Introduction

Enclosed for your review and approval are two new optional coverage extension endorsements that modify our Ordinance or Law Coverage Form and Business Income Coverage Form (and Extra Expense) that provides additional coverage if the damaged building cannot be replaced to pre-loss functionality. Each endorsement matches our two primary property coverage products - Property Gard and Property Gard Select.

None of the endorsements are industry specific and will be used on accounts that may have an exposure to loss due to application of ordinance or law.

Ordinance or Law Coverage Extension for Non-conforming Buildings - 143636

Provides the coverage language that modifies insurance protection under the following previously approved Property-Gard forms:

- Ordinance or Law Coverage Form (141056)
- Business Income Coverage Form (and Extra Expense) (CP0030)

Ordinance or Law Coverage Extension for Non-conforming Buildings - 190099

Provides the coverage language that modifies insurance protection under the following previously approved Property-Gard Select forms:

- Property-Gard Select Real and Personal Property Coverage Section (190001)
- Business Income Coverage Form (and Extra Expense) (190004)

Coverage Endorsements

143636 – Ordinance or Law Coverage Extension for Non-conforming Buildings
190099 - Ordinance or Law Coverage Extension for Non-conforming Buildings

Coverage Explanation

Each endorsement Modifies the Ordinance or Law Coverage Form and Business Income Coverage Form (and Extra Expense) of the respective property products to provide additional coverage if the damaged building cannot be replaced to pre-loss functionality due to the enforcement of any ordinance or law that does not permit restoring the non-conforming building on the same premises and to the same height, floor area, number of units and occupancy of the original property insured.

Premium Justification

Rating impact is minimal as this endorsement covers exposures that are non-frequency and non-severity driven.

There is no reliable data to calculate premium for Coverage D – Coverage for Loss in Value of a Non-conforming Building. Our best underwriting judgment, based on our limited loss data and

review of changes in building codes and municipal regulations, indicates a 5% surcharge of the currently filed Ordinance or Law Coverage premium.

Increased Cost of Construction Due to Municipal Fund Payments has no rate impact as it will be anticipated under Coverage C – Increased Cost of Construction Coverage.

Coverage for Loss of Business Income from a Reduction in Leaseable Square Footage of a Non-conforming Building has no rate impact because the values will be included in the base Loss of Business Income calculation.